

EXHIBIT 1

OK To
Certify OK to cert
(13) May 2009
AL

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

CITY OF DETROIT, a Michigan municipal
corporation,

Plaintiff,

CASE NO. 05-522129-CC

HON. DAPHNE MEANS CURTIS

v.

05-522129-CC 7/27/2005
JDG DAPHNE MEANS CURTIS
DETROIT CITY OF
VE
SOBELOFF JONATHAN

JONATHAN SOBELOFF, Trustee under the Will
of Benjamin Rich, deceased, EDITH WOODBERRY;
the ESTATE OF JAMES FULLER, deceased,
DELORES WILLIAMS, WILLIE FULLER and wife,
if any, PATRICIA LOVE a/k/a AUDREY LOVE,
FRANKLIN FULLER and wife, if any, WAYNE
FULLER and wife, if any, DOUGLAS FULLER and
wife, if any, HAPPY WOODBERRY, CRAIG JONES
and wife, if any, MICHAEL JONES and wife, if any,
PHEBE WOODBERRY, ADAM WOODBERRY and
wife, if any, CAVEL WOODBERRY and wife, if any,
PENNY MABIN, CRANSTON WOODBERRY, Esq.,
CRANSTON WOODBERRY and wife, if any, ROZLYN
HARRISON, WARREN GAITHER and wife, if any,
DOROTHY ROBINSON, ROGER WOODBERRY and
wife, if any, LAVAN WOODBERRY and wife, if any
or the JOHN DOE or JANE DOE unknown,

Defendants.

FILED
CATHY M. GARRETT
WAYNE COUNTY CLERK
APR 28 2009
BY Cheryl Bussard

WILLIAMS ACOSTA, PLLC
Avery K. Williams (P34731)
Krystal N. Lyons (P61982)
Co-Counsel for Plaintiff
535 Griswold Street, Suite 1000
Detroit, Michigan 48226
(313) 963-3873

EDITH WOODBERRY
In Pro Per
Defendant
445 E. Fisher Freeway
Detroit, Michigan 48201

JOHN M. NADER (P41610)
City of Detroit Law Department
Co-Counsel for Plaintiff
660 Woodward Avenue, Suite 1650
Detroit, Michigan 48226
(313) 237-3034

CRANSTON WOODBERRY (P44755)
Attorney for Defendants
2457 Beaubien Street
Detroit, Michigan 48201
(313) 575-9774

JUDGMENT

At a session of said Court held in the City of Detroit, County of
Wayne, State of Michigan on **APR 28 2009**

PRESENT: HON. **HONORABLE DAPHNE MEANS CURTIS**

Circuit Court Judge

This matter having come before the Court upon the City of Detroit's ("the City")

Motion for Summary Disposition; oral argument having been heard; the Court being fully

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Bernard J. Youngblood
Wayne County Register of Deeds
May 05, 2009 10:23 AM
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advised in the premises and having granted the City's Motion for Summary Disposition and having dismissed all of Defendants Edith Woodberry's, Craig Jones', Michael Jones', Happy Woodberry's, Phoebe Woodberry's, Adam Woodberry's, Cavel Woodberry's, Penny Mabin's, Cranston Woodberry's, Rozlyn Harrison's, Roger Woodberry's and Lavan Woodberry's ("Defendants") counterclaims in their entirety (*see* Exhibit 1 - Order Regarding City of Detroit's Motion for Summary Disposition) and having denied Defendants' Motion for Reconsideration (*see* Exhibit 2);

IT IS HEREBY ORDERED AND ADJUDGED that the City shall pay to Defendants just compensation for the property located at 2457 Beaubien Street, in Detroit, Michigan 48201 ("Subject Property") in the amount of Two Hundred Forty Thousand (\$240,000.00) Dollars (the "Judgment Amount"), less the following amounts which shall be deducted from the Judgment Amount:

- (1) just compensation previously paid to Defendant Edith Woodberry in the amount of \$83,294.72 (*see* Exhibit 3);
- (2) just compensation previously paid to Defendants Craig Jones, Michael Jones, Happy Woodberry, Phoebe Woodberry, Adam Woodberry, Cavel Woodberry, Penny Mabin, Cranston Woodberry, Rozlyn Harrison's and Roger Woodberry in the amount of \$9,000.00 (*see* Exhibit 4);
- (3) rent due the City from Defendants in the amount of \$21,600.00 plus an additional \$1,350.00 per month for each month after February 28, 2009 that Defendants hold over and retain possession of and part of the Subject Property, in accordance with the Court's October 2, 2008 Order Regarding City of Detroit's Motion to Deduct Rent, Water Bill and Costs Associated with Eviction from Defendants' Estimated Just Compensation (*see* Exhibit 5);
- (4) \$19,688.69 for water and sewer services provided to Defendants by the City's Water and Sewerage Department, in accordance with the Court's October 2, 2008 Order Regarding City of Detroit's Motion to

Deduct Rent, Water Bill and Costs Associated with Eviction from Defendants' Estimated Just Compensation (*see* Exhibit 5);

- (5) any and all costs incurred by the City in connection with its having to engage the Wayne County Sheriff and/or its agents to forcibly remove and/or evict Defendants and their possessions from the Subject Property in accordance with the Court's October 2, 2008 Order of Eviction and the Court's October 2, 2008 Order Regarding City of Detroit's Motion to Deduct Rent, Water Bill and Costs Associated with Eviction from Defendants' Estimated Just Compensation (*see* Exhibits 5 and 6); and
- (6) any taxes, assessments or tax liens that are due and/or delinquent, subject only to the appropriate proration based upon the date of entry of this Order and Defendants' final surrender of physical possession of the Subject Property to the City;

IT IS FURTHER ORDERED AND ADJUDGED that title to the Subject Property, which is more fully described in the attached Exhibit 7, passed to the City by operation of law effective July 27, 2005, the date the City filed its Complaint to acquire the Subject Property by eminent domain.

IT IS FURTHER ORDERED AND ADJUDGED that a copy of this Judgment may be recorded with the Wayne County Register of Deeds and recording said Judgment shall be in lieu of a Deed of Conveyance;

IT IS FURTHER ORDERED AND ADJUDGED that Defendants shall immediately surrender possession of the Subject Property to the City;

IT IS FURTHER ORDERED AND ADJUDGED that this Judgment shall be with prejudice to any further assertion of claims by Defendants against the City arising directly or indirectly, in whole or in part, from the taking of the Subject Property; and

IT IS FURTHER ORDERED AND ADJUDGED that the Judgment Amount includes any and all payments due to Defendants for real estate, fixtures, business

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interruption, going concerns, loss of rents, just compensation, leasehold interests, relocation expenses and any other costs, expenses, compensation or damages, attorneys' fees, expert fees, witness fees, and appraisal costs, if any, real or imagined, that are attributable, in whole or in part, to this taking.

Pursuant to MCR 2.602(A)(3), this Judgment does not resolve the last of any claims and it does not close this case.

HONORABLE DAPHNE MEANS CURTIS

CIRCUIT JUDGE

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A TRUE COPY
CATHY M. GARRETT
WAYNE COUNTY CLERK
Cheryl
DEPUTY CLERK

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No. A 46926

E-314 BK.

STATE OF MICHIGAN } ss.
County of Wayne }

CERTIFIED COPY — "LAW"

I, CATHY M. GARRETT, Clerk of Wayne County, and Clerk of the Circuit Court for the County of Wayne, do hereby certify that the above and the foregoing is a true and correct copy of

Judgment

entered in the above entitled cause by said Court, as appears of record in my office. That I have compared the same with the original, and it is a true transcript therefrom, and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court and County, at Detroit, this day of 5-5-09 A.D. 20

CATHY M. GARRETT, Clerk

Fee, \$

14

, Deputy Clerk

